

February 28, 2024

**VIA ECF**

Hon. Victor Marrero  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Courtroom 18A  
New York, NY 10007-1312


USDC SDNY  
DOCUMENT  
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**Re: *Nike Inc. v. By Kiy LLC et al.*, No. 1:23-cv-2431-VM-SLC (S.D.N.Y.)**

Dear Judge Marrero:

Pursuant to Your Honor's January 29, 2024 Order [ECF No. 196], Plaintiff Nike, Inc. ("Nike") is submitting a motion and supporting memorandum to strike and exclude portions of Bertrand Guillaume's Expert Report and Opinions [ECF Nos. 199, 200]. The memorandum in support of Nike's motion contains excerpts of the deposition of Defendants By Kiy LLC and Nickwon Arvinger, which counsel for Defendants designated as "HIGHLY CONFIDENTIAL" under the Protective Order [ECF No. 77].

Nike does not believe that the memorandum in support of Nike's motion and associated exhibit no. 1 contains confidential information that should be restricted from the public docket. However, counsel for By Kiy informed Nike that it objects to the public filing of these materials. Accordingly, Nike moves that the memorandum in support of Nike's motion to strike and exclude portions of Bertrand Guillaume's expert report and opinions [ECF No. 200], as well as associated exhibit no. 1 [ECF No. 200-1], be sealed.

<b>Request GRANTED.</b>	
Plaintiff's motion to seal Dkt. No. 200 and Dkt. No. 200-1 is hereby GRANTED, provided that a redacted version of each be filed on the public docket.	
<b>SO ORDERED.</b>	
29 February 2024	
DATE	
VICTOR MARRERO, U.S.D.J.	

Dated: February 28, 2024

Respectfully submitted,

s/ Michael J. Gershoni

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